

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

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BUSINESS REPORT

**MONTANA SENATE
63rd LEGISLATURE - REGULAR SESSION**

SENATE NATURAL RESOURCES COMMITTEE

Date: Friday, February 22, 2013
Place: Capitol

Time: 3:00 PM
Room: 422

BILLS and RESOLUTIONS HEARD:

SB 364 - Generally revise laws related to solid waste management - Sen. Chas Vincent
SB 345 - Revise laws related to liability for forest and range fires - Sen. Chas Vincent
SB 347 - Revise water degradation laws - Sen. Chas Vincent
SJ 17 - Resolution to encourage voluntary streamside best management practices - Sen. Verdell Jackson
SB 354 - Revise laws related county historic rights-of-way - Sen. Bradley Hamlett
SB 339 - Allow counties to limit percentage of property owned by nonprofits - Sen. John Brenden

EXECUTIVE ACTION TAKEN:

SJ 17 - DP
SB 347 - DP
SB 335 - DP
SB 337 - DP
SB 345 - DP
SB 265 - DP

SB 364 - DPAA
SB 346 - DPAA

SB 263 - Tabled
SB 330 - Tabled
SB 339 - Tabled

Comments:

SB 354 - Motion Failed, Vote not reported
out of committee.

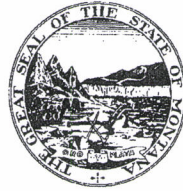


SEN. Chas Vincent, Chair

MONTANA STATE SENATE
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: 2-22-12

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR CHAS VINCENT, CHAIR	✓	
SENATOR JOHN BRENDEN, VICE CHAIR	✓	Excused
SENATOR DEBBY BARRETT	✓	
SENATOR JENNIFER FIELDER		Excused
SENATOR BRAD HAMLETT	✓	
SENATOR VERDELL JACKSON	✓	
SENATOR CHRISTINE KAUFMANN	✓	
SENATOR JIM KEANE	✓	
SENATOR CLIFF LARSEN	✓	
SENATOR MIKE PHILLIPS		Excused
SENATOR RICK RIPLEY	✓	
SENATOR MATTHEW ROSENDALE	✓	
SENATOR MITCH TROPILA		Excused
SENATOR ED WALKER		Excused



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Joint Resolution 17** (first reading copy -- white) **do pass**.

Signed: _____

Chas Vincent

Senator Chas Vincent, Chair

- END -

Committee Vote:

Yes 14, No 0

Fiscal Note Required ____

SJ0017001SC.swr



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 335** (first reading copy -- white) **do pass**.

Signed: _____

Chas Vincent

Senator Chas Vincent, Chair

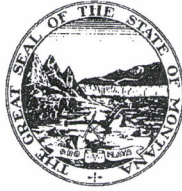
- END -

Committee Vote:

Yes 14, No 0

Fiscal Note Required ☐

SB0335001SC.swr



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 337** (first reading copy -- white) **do pass**.

Signed: _____

A handwritten signature in cursive script, reading "Chas Vincent", written over a horizontal line.

Senator Chas Vincent, Chair

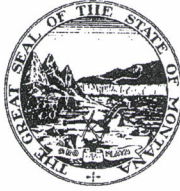
- END -

Committee Vote:

Yes 13, No 1

Fiscal Note Required ____

SB0337001SC.swr



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 345** (first reading copy -- white) **do pass**.

Signed: _____

Chas Vincent

Senator Chas Vincent, Chair

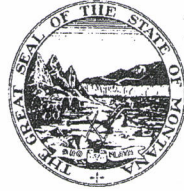
- END -

Committee Vote:

Yes 14, No 0

Fiscal Note Required ☐

SB0345001SC.swr



SENATE STANDING COMMITTEE REPORT

February 25, 2013

Page 1 of 2

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 364** (first reading copy -- white) **do pass as amended.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Chas Vincent", is written over a horizontal line.

Senator Chas Vincent, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Following: "SECTIONS"

Insert: "75-10-204 AND"

Strike: "AND 75-10-405"

2. Page 1.

Following: line 10

Insert: "**Section 1.** Section 75-10-204, MCA, is amended to read:

"**75-10-204. Powers and duties of department.** The department shall, subject to the provisions of 75-10-107, adopt rules governing solid waste management systems that must include but are not limited to:

(1) requirements for the plan of operation and maintenance that must be submitted with an application under this part;

(2) the classification of disposal sites according to the physical capabilities of the site to contain the type of solid waste to be disposed of;

(3) the procedures to be followed in the disposal, treatment, or transport of solid wastes;

(4) the suitability of the site from a public health standpoint when hydrology, geology, and climatology are considered;

(5) requirements relating to ground water monitoring, including but not limited to:

(a) information that owners and operators of municipal solid waste landfills and other disposal sites specified in 75-10-207 are required to submit to the department to enable the

Committee Vote:

Yes 14, No 0

Fiscal Note Required ☐

department to prepare the priority compliance list authorized by 75-10-207(3);

(b) the content of plans for the design, construction, operation, and maintenance of monitoring wells and monitoring systems; and

(c) recordkeeping and reporting;

(6) the imposition of a quarterly fee based on the justifiable direct and indirect costs to the state of administering Title 75, chapter 10, parts 1 and 2, for solid waste generated outside Montana and disposed of or incinerated within Montana;

(7) requirements to maintain financial assurance payable to the state of Montana with a surety satisfactory to the department in an amount sufficient to provide for waste tire treatment, removal, transportation, and disposal, fire suppression, or other measures necessary to protect the environment and the health, safety, and welfare of the public;

(8) requirements for coal combustion residues at electrical generation facilities in order to provide for state implementation of federal legislation or federal environmental protection agency regulations that contain legislative or regulatory requirements pertaining to coal combustion residues and that become effective on or after [the effective date of this act]; and

~~(8)~~(9) any other factors relating to the sanitary disposal or management of solid wastes.""

Renumber: subsequent sections

3. Page 1, line 18.

Strike: "75-10-405(1)(o)"

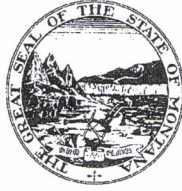
Insert: "75-10-204(8)"

4. Page 1, line 25 through page 3, line 14.

Strike: section 2 in its entirety

Renumber: subsequent section

- END -



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 346** (first reading copy -- white) **do pass as amended.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Chas Vincent".

Senator Chas Vincent, Chair

And, that such amendments read:

1. Page 8, line 26.

Following: "doctrine."

Insert: "Nothing in this section is intended to limit the ability of a senior water right holder to enforce a water right or limit that enforcement to a specific area. Creation of a stream depletion zone is not a prerequisite to an enforcement action."

- END -

Committee Vote:

Yes 14, No 0

Fiscal Note Required ____

SB0346001SC.swr



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 265** (first reading copy -- white) **do pass**.

Signed: _____

A handwritten signature in cursive script that reads "Chas Vincent".

Senator Chas Vincent, Chair

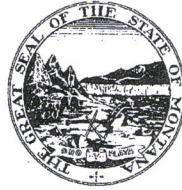
- END -

Committee Vote:

Yes 10, No 4

Fiscal Note Required ____

SB0265001SC.swr



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 347** (first reading copy -- white) **do pass**.

Signed: _____

A handwritten signature in cursive script, appearing to read "Chas Vincent".

Senator Chas Vincent, Chair

- END -

Committee Vote:

Yes 12, No 2

Fiscal Note Required ____

SB0347001SC.swr

BILL TABLED NOTICE

SENATE NATURAL RESOURCES COMMITTEE

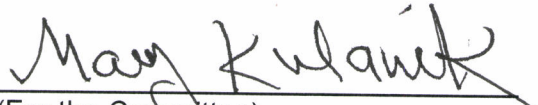
The **SENATE NATURAL RESOURCES COMMITTEE** TABLED

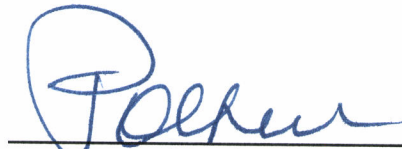
SB 263 - Revise exempt water well law - Sen. Bradley Hamlett

SB 330 - Revise water court jurisdiction laws - Sen. Debby Barrett

SB 339 - Allow counties to limit percentage of property owned by nonprofits - Sen. John Brenden

, by motion, on **Friday, February 22, 2013.**


(For the Committee)


(For the Secretary of the Senate)
8:55 / 2/22
(Time) (Date)

February 23, 2013 (8:45am)

Mary Kulawik, Secretary

Phone: 444-4889

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 BILL NO ^{SB} 335 MOTION NO. _____
MOTION: _____

Motion To Amend

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR		✓	
SENATOR DEBBY BARRETT		✓	
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT		✓	
SENATOR VERDELL JACKSON		✓	
SENATOR CHRISTINE KAUFMANN	✓		
SENATOR JIM KEANE	✓		
SENATOR CLIFF LARSEN	✓		
SENATOR MIKE PHILLIPS	✓		
SENATOR RICK RIPLEY		✓	
SENATOR MATTHEW ROSENDALE	✓		
SENATOR MITCH TROPILA		✓	
SENATOR ED WALKER		✓	Proxy
SENATOR CHAS VINCENT, CHAIR	✓		

7-7

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 BILL NO. SB 337 MOTION NO. _____
 MOTION: _____

MOTION TO DP

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT	✓		
SENATOR VERDELL JACKSON	✓		
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE	✓		
SENATOR CLIFF LARSEN	✓		
SENATOR MIKE PHILLIPS	✓		
SENATOR RICK RIPLEY	✓		
SENATOR MATTHEW ROSENDALE	✓		
SENATOR MITCH TROPILA	✓		
SENATOR ED WALKER	✓		X
SENATOR CHAS VINCENT, CHAIR	✓		

13-1

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 ^{SB} BILL NO 330 MOTION NO. _____
MOTION: _____

MOTION TO DP

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT		✓	
SENATOR VERDELL JACKSON	✓		
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE		✓	
SENATOR CLIFF LARSEN		✓	
SENATOR MIKE PHILLIPS		✓	
SENATOR RICK RIPLEY		✓	
SENATOR MATTHEW ROSENDALE		✓	
SENATOR MITCH TROPILA		✓	
SENATOR ED WALKER		✓	
SENATOR CHAS VINCENT, CHAIR	✓		

5-9

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 BILL NO SB 354 MOTION NO. _____
MOTION: _____

Motion To DP on SB 354

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT	✓		
SENATOR VERDELL JACKSON	✓		
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE		✓	
SENATOR CLIFF LARSEN		✓	
SENATOR MIKE PHILLIPS		✓	
SENATOR RICK RIPLEY	✓		
SENATOR MATTHEW ROSENDALE		✓	
SENATOR MITCH TROPILA		✓	
SENATOR ED WALKER		✓	
SENATOR CHAS VINCENT, CHAIR	✓		

7-7

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 BILL NO ^{SB} 265 MOTION NO. _____
 MOTION: _____

Motion To DP

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT	✓		
SENATOR VERDELL JACKSON	✓		
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE	✓		
SENATOR CLIFF LARSEN		✓	
SENATOR MIKE PHILLIPS		✓	
SENATOR RICK RIPLEY	✓		
SENATOR MATTHEW ROSENDALE	✓		
SENATOR MITCH TROPILA		✓	
SENATOR ED WALKER	✓		
SENATOR CHAS VINCENT, CHAIR	✓		

16-4

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

SB

DATE 2-22-13 BILL NO 347 MOTION NO. _____
MOTION: _____

Motion To DP

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT		✓	
SENATOR VERDELL JACKSON	✓		
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE	✓		
SENATOR CLIFF LARSEN	✓		
SENATOR MIKE PHILLIPS	✓		
SENATOR RICK RIPLEY	✓		
SENATOR MATTHEW ROSENDALE	✓		
SENATOR MITCH TROPILA	✓		
SENATOR ED WALKER	✓		
SENATOR CHAS VINCENT, CHAIR	✓		

12-2

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 BILL NO 263 MOTION NO. _____
MOTION: _____

MOTION TO DPAA

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR		✓	
SENATOR DEBBY BARRETT		✓	
SENATOR JENNIFER FIELDER	✓		
SENATOR BRAD HAMLETT	✓		
SENATOR VERDELL JACKSON	✓		
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE		✓	
SENATOR CLIFF LARSEN		✓	
SENATOR MIKE PHILLIPS	✓		
SENATOR RICK RIPLEY		✓	
SENATOR MATTHEW ROSENDALE	✓		
SENATOR MITCH TROPILA		✓	
SENATOR ED WALKER	✓		
SENATOR CHAS VINCENT, CHAIR	✓		

7-7

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2-22-13 ^{SB} BILL NO 339 MOTION NO. _____
MOTION: _____

Motion To DP

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JOHN BRENDEN, VICE CHAIR	✓		
SENATOR DEBBY BARRETT		✓	
SENATOR JENNIFER FIELDER		✓	
SENATOR BRAD HAMLETT		✓	
SENATOR VERDELL JACKSON		✓	
SENATOR CHRISTINE KAUFMANN		✓	
SENATOR JIM KEANE		✓	
SENATOR CLIFF LARSEN		✓	
SENATOR MIKE PHILLIPS		✓	
SENATOR RICK RIPLEY	✓		
SENATOR MATTHEW ROSENDALE		✓	
SENATOR MITCH TROPILA		✓	
SENATOR ED WALKER		✓	
SENATOR CHAS VINCENT, CHAIR		✓	

2-12

SENATE PROXY

I, Senator Ed Walker, hereby authorize Senator Brandon to vote my proxy before the Senate Natural Resources meeting held on Feb 22nd, 2013.

Ed Walker
Senator Signature

FEB 22nd
Date

Said authorization is as follows: (mark only one)

- ☐ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

Bill No. / Amendment No.		Aye	No
SJ 17	DP	X	
SB 335	DP	X	
SB 337	DP	X	
SB 345	DP	X	
SB 364	DPAA	X	
SB 346	DPAA	X	
amend 33501.957	SB 335		X
amend 36401.9572	SB 364	X	
amend 34601.957	SB 346	X	

SEN. WALKER WAS PRESENT TO VOTE ON THIS BILL. MK

MONTANA STATE SENATE

SENATE NATURAL RESOURCES COMMITTEE

Friday, February 22, 2013

SB 364 - Generally revise laws related to solid waste management

Sponsor: **Sen. Chas Vincent**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE NATURAL RESOURCES COMMITTEE

Friday, February 22, 2013

SB 345 - Revise laws related to liability for forest and range fires

Sponsor: **Sen. Chas Vincent**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
SENATE NATURAL RESOURCES COMMITTEE

Friday, February 22, 2013

SB 347 - Revise water degradation laws

Sponsor: Sen. Chas Vincent

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Paul Roos	Self		X	
Jim Jensen	MEIC		X	
GEORGE MATHIEUS	DEQ			X
Brenda Lindstedt Hall	Tongue River Water Users		X	
Bonnie Gestring	self		X	
Mark Cambrecht	TSNIA	X		
Don Dal	Self	X		
KD FEEDBACK	CR Montana Coop	✓		
Mark Agones	MTU		X	
Brianna Randall	CF Coalition		X	
Tom Haggard	MT Mining Assoc	✓		
Don Ryan	Self	✓		
Mike Murphy	MWRA		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE NATURAL RESOURCES COMMITTEE

Friday, February 22, 2013

SJ 17 - Resolution to encourage voluntary streamside best management practices

Sponsor: **Sen. Verdell Jackson**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE NATURAL RESOURCES COMMITTEE

Friday, February 22, 2013

SB 354 - Revise laws related county historic rights-of-way

Sponsor: **Sen. Bradley Hamlett**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

SENATE NATURAL RESOURCES COMMITTEE

Sponsor: **Sen. John Brenden**

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

February 25, 2013

Tom Morarre

Mr. Morarre of Lolo left a voice message this morning at 10:00 AM in opposition to SB 347, heard in Senate Natural Resources Committee on February 25, 2013.



Mary Kulawik
Senate Committee Secretary
Fish and Game
Natural Resources
Capitol Room 320
(406) 444-4889
mkulawik@mt.gov

Additional
Document